

**Stow Conservation Commission  
Minutes  
January 18, 2022**

A meeting of the Stow Conservation Commission was held on January 18, 2022 at 7:30 in the evening remotely VIA Zoom Videoconferencing in accordance with the Governors' Executive Order on Remote Meeting participation.

There were present: Matt Styckiewicz, Vice Chair  
Jeff Saunders  
Liza Mattison  
Holly Clack

Absent: Serena Furman, Chair  
Doug Morse  
Ingeborg Hegemann Clark

Also Present: Kathy Sferra, Conservation Coordinator  
Jacquie Goring, Conservation Assistant

Matt Styckiewicz called the meeting to order at 7:30 pm.

**Minutes**

*Holly Clack moved to approve the minutes of January 4, 2022 as amended. Liza Mattison seconded and the motion was approved unanimously (4-0) on a roll call vote.*

**Stow Acres – Review Letter of Support for Local Initiative Program (LIP) Applications –** The Commission reviewed the draft letter of support for the LIP application for Stow Acres. The letter is a request by the Planning Board and Conservation Commission for the Select Board to support the application submitted to the state. The letter clarifies that the Conservation Commission will still need to review the plans as part of the permitting process. Stow Municipal Affordable Housing Trust is expected to sign on as well, and the Stow Conservation Trust (SCT) will also likely send a letter. The Commission discussed the draft letter and agreed there are no changes. *Liza Mattison moved to send the letter of support as drafted. Holly Clack seconded and the motion was approved unanimously (4-0) on a roll call vote.*

**Stow Acres – Update on Municipal Vulnerability Preparedness (MVP) Program Grant Application –** Sferra provided the Commission a draft of the MVP grant expression of interest. The Town is planning to apply for State MVP funds for the acquisition of a portion of the Stow Acres North Course. Town meeting approved \$2.5 million toward the purchase price of \$3.5 million. The remaining \$1.0 million must be raised by the Town and/or Trust. Stow currently shares an MVP grant with the Town of Hudson for the Healthy Lake Boon Project. Sferra noted that the Town is looking at applying for a two-year grant, which would include the total needed for acquisition in Year 1 and an underdetermined

amount of funds to span year one and two for master planning focused on climate resilience. The master plan will likely include wetland restoration, parking, recreation amenities, and other habitat restoration projects. Sferra included a question in the expression of interest if the Town should consider applying for more money for on the ground construction in year two. Sferra noted that could include improvements to the driving range parking lot such as an electric vehicle charging station, stormwater management, and plantings, assuming Stow Acres agrees. Sferra noted that none of the climate resilience work can be done at Stow Acres without the funds for acquisition.

The Commission discussed the draft and how the project would address Environmental Justice (EJ) and Climate Vulnerable Populations. Sferra noted that the acreage of Stow Acres is similar to Town Forest which has visitors from many surrounding Towns. Sferra noted that the master plan will also review the need for shade structures, splash pads, and other recreational facility options to address concerns about heat and vulnerable populations. The Commission asked if it is possible to be awarded partial funding. The Commission will send additional comments to Sferra. Sferra believes the grant applications will be due in May and announced in September. Sferra added that the Executive Office of Energy and Environmental Affairs has encouraged applicants to apply for more than one grant and they will determine how best to fund projects from the multiple sources available.

**Continued Public Hearing – Abbreviated Notice of Resource Area Delineation (ANRAD) – MCO & Associates, Inc. – Off Randall Road** – Nathaniel Cataldo, Stamski & McNary; wetland scientist Dave Crossman, B&C Associates; and Mark O’Hagan, MCO & Associates; were present. Sferra confirmed a file number had been issued by DEP with no comments. Crossman went out and did additional flagging. Ingeborg Hegemann Clark reviewed the additional flagging in the field. Crossman confirmed he reviewed the final plans submitted to the Commission and agreed with them. Sferra noted additional minor changes that could be included in the decision and revised on a final plan. The changes include two culverts were missing from the plan, the removal of wetland flags A19 and A20, and connecting flags A18 and A21 to expand the wetland in that area. The revised plan also states that one area is a local bylaw only wetland and Hegemann Clark requested that the area be shown as bordering vegetated wetland. A portion of the wetland is on private property and could not be investigated. Crossman stated that he had no objections to the requested changes. Cataldo confirmed the surveyors would add the culverts to the plan.

John Smits, 279 Gleasondale, noted an area of standing water not shown on the wetland delineation plan. Cataldo shared the revised plans and reviewed the area Smits identified has standing water during heavy rain. Christian Jackson, 285 Gleasondale Road, also described the area of ponded water and noted that people used to skate on it, but it is not as large as it was in 2009-2011. Jackson suggested that Stow Acres may have put in drainage. Heather Goldstein, 5 Cross Street, also described the area of ponding water. Jackson offered to send photos of the area.

Crossman stated that there is a wetland area shown on the Mass GIS data layer in that area, but he reviewed the area and found a long narrow low spot and with no evidence of wetland plants or hydric soils. The Commission described how vegetation, soils and hydrology must be present to meet the definition of a wetland. Crossman added that if people were skating on it, it may be an area where

water collects on frozen ground in the low spot. Crossman also noted that there was no standing water there during his site visits and water could collect there but without the soils and vegetation it does not meet the criteria of a wetland. Crossman confirmed that the area is off wetland flag 103, halfway between the resource protection limit line on the plan. Saunders clarified that it was not included on the plan because the area did not meet the definition of a wetland. Crossman confirmed that the area did not meet the definition of a wetland.

Smits asked if the area could be walked to confirm the location. Cataldo showed an aerial photo and the Mass DEP wetland layer that shows the area as wetland. The Commission explained that the DEP data layer is based on aerial photos and is often not accurate – wetlands can be shown and don't exist or vice versa. Sferra added that Stow Acres has made changes to water features and drainage on the property over the years. Sferra reviewed aerial imagery and noted the ponded area is not visible in recent years but appears on one photo in 2017. The Commission noted that the area was also not identified during the site visit when water levels were high. Crossman added that the area may be seasonally ponded during wet periods. Crossman confirmed that the area is not jurisdictional and does not meet the criteria of a wetland. Smits stated he appreciated the Commission's thought process and the Commission recommended he send Sferra the photos.

AP Wendler, 22 Cross Street, requested clarification on the difference between a vernal pool and a wetland. Crossman stated that a vernal pool can be any depression that holds water for two months or more in spring, long enough for amphibian eggs to mature, hatch, and leave the water. Crossman reviewed the Wetlands Protection Act regulations regarding vernal pools. Sferra added that resource areas have different performance standards in state and local regulations and when the development project is reviewed it must meet the performance standards. Crossman noted that there are no potential vernal pools mapped on GIS on the property and all the ponds on the property are considerably large and may have small fish populations therefore are not vernal pools. Crossman confirmed that there is a depression in the wetland near the 200 series wetland flags that could be a potential vernal pool. Sferra added that the decision can require the applicant to investigate the pool in the spring and certify it if it is confirmed. There were no further questions or comments. *Liza Mattison moved to close the hearing. Holly Clack seconded and the motion was approved unanimously (4-0) on a roll call vote.*

**Decision – Order of Resource Area Delineation (ORAD) – MCO & Associates, Inc. – Off Randall Road –** The Commission reviewed the draft decision. The decision is broken out into three sections for resource areas that were confirmed, resource areas that were not confirmed, and revisions requested for the final plan. Sferra confirmed that the ORAD includes the requirement to investigate the potential vernal pool before submittal of a Notice of Intent. Sferra clarified that once the ORAD is issued the delineation is binding for three years. The ORAD clarifies that a decision has not been issued at this time for some resource areas, such as floodplain. Flood plain was not included on the plans because a detailed topographic plan has not been completed. Identifying the resource areas not confirmed as part of the ORAD allows the Commission to review them when/if the development plans are submitted. The Commission did not have any changes to the draft ORAD. *Jeff Saunders moved to issue*

*the decision. Liza Mattison seconded and the motion was approved unanimously (4-0) on a roll call vote.*

**American Rescue Plan Act (ARPA) Funding Availability Announcement** – Sferra shared the Town’s ARPA funding request guidelines with the Commission. Goring reviewed potential Community Garden improvements that could be requested using ARPA funds including raised beds for adaptive gardening, additional wells, road improvements, gates, and a shed for storage of shared equipment. Sferra added that the request for ARPA funds could also include a boardwalk to connect the Community Gardens and the Kunelius property. Sferra noted the public health benefits of both projects and the significant increase in conservation land use during the pandemic which has created maintenance needs. Staff will work on pulling together details and cost estimates.

#### **Staff and Commission Member Updates**

- Liza Mattison volunteered to work with Ingeborg Hegemann Clark and Sferra on the new Minute Man Air Field application.
- Three proposals for the Kalousdian survey were received and are within budget.
- Stow Police contacted two ATV users in Town Forest. The Commission requested staff follow up with a letter reminding them of the regulations.
- The Commission discussed the dog walking regulations map included with dog licenses.
- Sferra reviewed an update from SCT on the Shepherd Memorial Woodlands boardwalk project.

*At 9:05 PM, Jeff Saunders moved to adjourn, Holly Clack seconded and the motion was approved unanimously (4-0) on a roll call vote.*

Respectfully submitted,

Jacquelyn Goring, Conservation Assistant

#### Materials Used at Meeting

Meeting Packet

Randall Road revised ANRAD plans

Randall Road draft ORAD decision